

REQUEST FOR RECONSIDERATION

Applicant thanks Examiner Dastouri for the helpful and courteous discussions of April 18 and 19, 2005. During the discussions, Applicant's U.S. representative explained that the use of a vacuum roller for processing a continuous material web such as for use in a filter element was not known in the art prior to the filing date of the present application.

The independent claims of the present application have been amended to require that a vacuum roller is used to create the vacuum pressure or differential pressure recited in the claims. The vacuum roller of the amended claims is described in the present specification in Figure 2 and on page 12, lines 3-21. Certain components of the structure of the vacuum roller recited in the present claims was recited in previous dependent Claims 33-34 and 85-86. The vacuum roller is one described in the present claims as follows:

the vacuum roller comprises a vacuum pressure inlet, an interior vacuum chamber, a cylinder member with at least one opening extending from the interior vacuum chamber to the outer surface of the cylinder member, and a shield, and

wherein the shield and the inner surface of the cylinder member are configured to substantially enclose said interior vacuum chamber and the vacuum pressure inlet is connected to a vacuum pressure source.

The vacuum roller recited in the present independent claims is the vacuum roller depicted in Figure 2 and further described in U.S. Patent No. 6,634,192.

Applicant draws the Office's attention to U.S. Patent No. 6,634,192 to Simonetti et al., assigned to PTI Advanced Filtration, Inc. Applicant notes that one of the inventors of U.S. 6,634,192 (hereinafter "the '192 patent") is the same inventor named on the '192 patent. A copy of the '192 patent is attached for convenience. The present application and Application No. 09/781,602 (corresponding to U.S. Patent No. 6,634,192) were, at the time the invention of the present application was made, commonly owned by the assignee of the present application.

The '192 patent describes a system and method for flushing a membrane web using a vacuum roller (see Title). The filing date of the '192 patent is February 2, 2001 with an issue date of October 21, 2003. The present application has a filing date of May 22, 2001.

Applicant submits that the use of a vacuum roller to carry out the methods of the present application is novel and not obvious. Applicant points to the '192 patent as evidence that a vacuum roller for flushing a material web was not even known in the art until the inventor named on the present application received a patent on a vacuum roller on October 21, 2003.

Applicant submits that it cannot be obvious to use the vacuum roller of the present claims in the prior art cited by the Office because such a vacuum roller was not known in the filter art (e.g., the art of manufacturing and designing filters) until invented by one of the present inventors (e.g., after the effective dates of the prior art references).

Moreover, the Office admitted that the prior art cited against the present claims does not disclose applying a vacuum pressure or a vacuum roller (see the paragraph bridging pages 5 and 6; the paragraph bridging pages 9 and 10; of the Office Action of January 26, 2005). Thus the prior art cited by the office does not disclose or suggest the vacuum roller of the present claims and the prior art cannot anticipate or render obvious the presently claimed invention.

The use of a vacuum roller in the presently claimed methods and systems permits continuous testing of a material web. This is a substantial advantage in the filter art. In the past filters were not tested on a continuous basis but instead were tested after assembly on a piecemeal basis. The use of a vacuum roller in the claimed inventions permits continuous testing of a material web that form the filter material or filter membrane of a filter element.

The vacuum roller is further desirable because it permits a larger differential pressure to be applied to the material web during testing (see column 2, lines 37-46 of the '192 patent).

Applicant submits the amendment to the claims may not raise any substantial new issues for consideration because the vacuum roller limitations were present in at least Claims 2-3, 33-34 and 85-86 of the original claims. Further, Applicant included a description of the vacuum roller and at least one aspect of its importance in the claimed invention in the Request for Reconsideration filed on September 21, 2004 (see paragraph bridging pages 32 and 33). Because the amendment to the claims and arguments presented are not necessarily new issues for consideration, Applicant respectfully requests entry of the Amendment and allowance of all now-pending claims.

As discussed above, Applicant submits that the amended independent claims presented above are novel and not obvious in view of the prior art's silence with regards to the use of a vacuum roller for applying a vacuum pressure across a material web undergoing continuous testing for defects and therefore all now-pending claims should be allowed.


Respectfully submitted,

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